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FILED
U.S. MAGISTRATE JUDGE

DATE: October 5, 2022

TIME: 10:30 a.m.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JESUS HERNANDEZ-ALONSO,
aka "Jesus Hernandez,"
aka "Jesus Hernandezalonso,"

Defendant.

Case No. 2:22-mj-00780-EJY

CRIMINAL COMPLAINT

VIOLATION

Deported Alien Found in the
United States
(8 U.S.C. § 1326(a) and (b))

Before the United States Magistrate Judge, Las Vegas, Nevada, the undersigned
criminal complainant, being duly sworn, deposes and states:

COUNT ONE
Deported Alien Found in the United States
(8 U.S.C. § 1326(a) and (b))

On or about September 16, 2022, within the State and Federal District of Nevada,

JESUS HERNANDEZ-ALONSO,
aka "Jesus Hernandez,"
aka "Jesus Hernandezalonso,"

defendant herein, an alien, was found in the United States after having been deported and
removed therefrom on or about September 25, 2018, and November 28, 2018, having
reentered and remained in the United States, and not having obtained the express consent

1 of the Attorney General of the United States or the Secretary of Homeland Security, to
2 reapply for admission to the United States, in violation of 8 U.S.C. § 1326(a) and (b).

3 **Affidavit**

4 I, Raymond Thayer, being duly sworn, do hereby depose and say:

5 1. I have been employed with the United States Department of Homeland
6 Security ("DHS"), Immigration and Customs Enforcement ("ICE"), as an Immigration
7 Enforcement Agent and Deportation Officer ("DO") since February 2007. I am currently
8 assigned as a DO to the Las Vegas Office's Enforcement and Removal Operations
9 Criminal Prosecution's Section. In this capacity, I investigate and process a range of
10 immigration related offenses mainly focusing on obtaining federal prosecutions and
11 indictments for violent criminal aliens, such as violations of 8 U.S.C. §§ 1325 and 1326.

12 2. This affidavit is made in support of a criminal complaint against defendant
13 JESUS HERNANDEZ-ALONSO ("HERNANDEZ"), also known as Jesus
14 Hernandezalonso and Jesus Hernandez, for a violation of 8 U.S.C. § 1326(a) and (b),
15 Deported Alien Found in the United States. The information contained in this affidavit is
16 based on my own personal investigation and information communicated to me by other
17 law enforcement officers with personal knowledge of facts relevant to this investigation.
18 The affidavit is intended to show that there is probable cause for the requested complaint
19 and does not purport to set forth all of my knowledge of, or investigation into, this matter.

20 3. On September 16, 2022, HERNANDEZ was encountered by DO Ybarra at
21 the Clark County Detention Center in Clark County, Nevada. HERNANDEZ was being
22 held on state charges.

23 4. Because ICE records indicated that HERNANDEZ is a citizen and national
24 of Mexico by virtue of birth and that he was previously removed from the United States

1 and because HERNANDEZ was not in possession of valid immigration documents
2 allowing him to be present or remain in the United States, HERNANDEZ was brought
3 into ICE custody on September 16, 2022.

4 5. On or about September 21, 2022, I reviewed printouts from the Federal
5 Bureau of Investigation ("FBI") relating to HERNANDEZ. Based on my training and
6 experience, I know that the FBI databases contain records of arrests and convictions of
7 individuals, based on an individual's FBI number. I also know that an FBI number is
8 assigned based on unique fingerprint characteristics, and that police departments routinely
9 fingerprint each person who is booked into custody for identification purposes and
10 inclusion into criminal history databases.

11 6. A query of HERNANDEZ's automated criminal history confirmed that he
12 had been convicted of the following felony prior to his most recent removal, which subjects
13 him to the heightened penalty provisions of 8 U.S.C. § 1326(b): Reentry of a Removed
14 Alien (8 U.S.C. § 1326), in United States District Court, District of New Mexico, Case No.
15 2:18CR03442-001 WJ, on or about November 14, 2018.

16 7. On September 21, 2022, I obtained the DHS Administrative File ("A-File")
17 for the alien with Alien Registration Number A 215 561 918, whose name of record is
18 "JESUS HERNANDEZ-ALONSO" (hereinafter, the "HERNANDEZ A-File"). Based on
19 my training and experience, I know that a DHS A-File is a file maintained by DHS in
20 which immigration records are maintained for an alien admitted to, or found in, the United
21 States. I also know that a DHS A-File usually contains photographs, fingerprints, court
22 records of conviction, and all records relating to deportation or other actions by DHS – or
23 by its predecessor, the Immigration and Naturalization Service ("INS") – with respect to
24 the subject alien for whom the DHS A-File is maintained. Based on my review of the

1 HERNANDEZ A-File, I confirmed that this A-File corresponds with HERNANDEZ.

2 8. The HERNANDEZ A-File contained the following documents and
3 information, among other things, regarding HERNANDEZ immigration status:

4 a. Executed Warrants of Removal/Deportation (ICE Form I-205)
5 indicating that HERNANDEZ was officially removed and deported from the United States
6 to Mexico on or about the following dates: September 25, 2018, and November 28, 2018. I
7 know from my training and experience that a Warrant of Removal/Deportation (ICE
8 Form I-205) is executed each time a subject alien is removed from the United States by ICE
9 (and in the past by its predecessor agency, the INS) and usually contains the subject's
10 photograph, signature, or fingerprints. The executed Warrant of Removal/ Deportation
11 contained in the HERNANDEZ A-File include HERNANDEZ's photograph, signature,
12 and fingerprints.

13 b. Various other documents indicating that HERNANDEZ is a native
14 and citizen of Mexico. These documents included: (i) a Record of Deportable/Inadmissible
15 Alien (Form I-213), dated September 10, 2018, October 11, 2018, and September 19, 2022,
16 indicating that HERNANDEZ is a native and citizen of Mexico; (ii) sworn statements by
17 HERNANDEZ, dated October 11, 2018, and September 16, 2022, and signed by
18 HERNANDEZ, in which HERNANDEZ stated that he was a citizen of Mexico, and
19 (iii) numerous photos in HERNANDEZ's A-File associated with HERNANDEZ's prior
20 removals which appear to all be the same individual.

21 c. Documents related to HERNANDEZ's criminal convictions,
22 including the conviction described above in Paragraph 6.

23 9. On or about September 21, 2022, I reviewed certain printouts of ICE
24 computer indices contained in the HERNANDEZ A-File. Based on my training and

1 experience, I know that ICE computer indices track and document each time an alien has
2 been deported from the United States by ICE (or previously by the INS) or was granted
3 permission to enter or re-enter the United States. The ICE computer indices confirmed that
4 HERNANDEZ had been removed and deported on the date indicated on the Warrant of
5 Removal/Deportation (ICE Form I-205) found in the HERNANDEZ A-File. The ICE
6 computer indices further indicated that, since being deported or removed, HERNANDEZ
7 has not obtained permission from the Attorney General or his designated successor, the
8 Secretary of Homeland Security, to re-enter the United States legally.

9 10. Based on my review of the HERNANDEZ A-File, I determined that it does
10 not contain any record of him ever having received permission from the Attorney General
11 or his designated successor, the Secretary of Homeland Security, to legally re-enter the
12 United States. Based on my training and experience, I know that such documentation is
13 required to re-enter the United States legally after deportation or removal and that, if such
14 documentation existed, it would ordinarily be found in the HERNANDEZ A-File.

15 11. Based on my training, experience, and review of the contents of the
16 HERNANDEZ A-File, in particular the Warrant of Removal/Deportation, indicating that
17 HERNANDEZ had been deported to Mexico, I determined that HERNANDEZ is an
18 alien – that is, a citizen of Mexico.

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12. Based on the foregoing facts, I believe there is probable cause to believe that JESUS HERNANDEZ-ALONSO, also known as Jesus Hernandezalonso, and Jesus Hernandez, has violated 8 U.S.C. § 1326(a) and (b), Deported Alien Found in the United States.


Raymond Thayer
Deportation Officer
Immigration and Customs Enforcement

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone on October 5, 2022


HONORABLE ELAYNA J. YOUCHAH
UNITED STATES MAGISTRATE JUDGE